

ESTTA Tracking number: **ESTTA677071**

Filing date: **06/09/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92056509
Party	Defendant 3D Systems, Inc.
Correspondence Address	JASON M SNEED SNEED PLLC 610 JETTON ST STE 120-107 DAVIDSON, NC 28036 9318 UNITED STATES jsneed@sneedlegal.com, clandrum@sneedlegal.com, sarah@sneedlegal.com, litigation@sneedlegal.com
Submission	Motion to Amend Registration
Filer's Name	Sarah C. Hsia
Filer's e-mail	sarah@sneedlegal.com, jsneed@sneedlegal.com, giacona@sneedlegal.com
Signature	/sch/
Date	06/09/2015
Attachments	060915 Respondents Amended Motion to Amend - executed.pdf(249472 bytes )

Registration Subject to the filing

Registration No	4125612	Registration date	04/10/2012
Registrant	3D Systems, Inc. 333 Three D Systems Circle Rock Hill, SC 29730 UNITED STATES		

Goods/Services Subject to the filing

Class 009. First Use: 2011/05/26 First Use In Commerce: 2011/08/01

All goods and services in the class are requested, namely: Computer software for use in designing three-dimensional objects and controlling machines for making three-dimensional embodiments of the objects

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Registrant: 3D Systems, Inc.  
Mark: 3DS & Design  
Reg. No.: 4,125,612 in Classes 1, 7, 9 and 40  
Registered: April 10, 2012

Autodesk, Inc.	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92056509
	)	
3D Systems, Inc.,	)	
	)	
Respondent	)	

**RESPONDENT’S AMENDED MOTION TO AMEND REGISTRATION, WITH  
CONSENT**

3D Systems, Inc., (“Respondent” or “3D Systems”) moves pursuant to 37 C.F.R. § 2.133(a) to amend its U.S. Reg. No. 4,125,612 (“3DS & Design”), which is the subject of the captioned cancellation proceeding, to delete International Class 009 therefrom. For the avoidance of doubt, the goods and services in the remaining International Classes 1, 7 and 40 shall remain intact, valid and subsisting.

As grounds therefor, Respondent states that Petitioner initiated this cancellation proceeding on November 29, 2012, challenging Respondent’s U.S. Trademark Registration No. 4,125,612 for 3DS & Design on the basis of priority and likelihood of confusion and dilution in favor of Autodesk’s 3DS MAX mark. On June 4, 2015, the parties entered into a Settlement Agreement resolving the captioned cancellation proceeding. Counsel for Petitioner has consented to this Motion, and written signed consent is provided below.

Respondent thus respectfully requests that the Board grant Respondent's Amended Motion to Amend Registration, with Consent, in its entirety.

Dated: June 9, 2015

Respectfully Submitted,

/s/ Sarah C. Hsia

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*Attorneys for Respondent 3D Systems, Inc.*

## Consent

Petitioner hereby consents to the amendment requested by Respondent in its Amended Motion to Amend Registration, as set forth above.

Dated: June 9, 2015

  
An Attorney for Petitioner, Autodesk, Inc.

Certificate of Filing / Certificate of Service

The undersigned hereby certifies that the foregoing *Respondent's Amended Motion to Amend Registration, with Consent* was filed via ESTTA, and that a copy was placed in U.S.

Mail, postage prepaid, addressed to the following counsel of record:

John L. Slafsky  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, California 94304-1050  
*Attorneys for Petitioner Autodesk, Inc.*

This the 9<sup>th</sup> day of June, 2015.

/s/ Sarah C. Hsia

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An Attorney for Respondent